IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5677 of 2005

Between:

Ch. Neela Krishnaveni, D/o. Venkateswarlu,Ch.
Hindu College, Guntur, R/o. 26-28-31/2,

Jammichettu Bazar, A.T. Agraharam, Guntur - 520 004.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Principal Secretary, '
Higher Education Department, Secretariat Buildings, Hyderabad.
2 The Commissioner /Director of Colelgiate Education,

Government of Andhra Pradesh, Hyderabad.
3 The Regional Joint Director of Higher Education,

Guntur, Guntur District.
4 The Secretary & Correspondent, Hindu College Committee,

Guntur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, in directing the respondents to absorb the Petitioner from an un-aided post of aided post of lecturer in Commerce Department in the 4th respondent college which is going to fall vacant due tot retirement of one namely B. Mukunda Rao on attaining the age of Superannuation of 58 Years on 31-3-2005 and consequently direct the respondents to consider the representation of the Petitioner Dt. 11-3-2005 for absorption in an aided post in Commerce Department in 4th respondent college by considering earlier service of un-aided

post and pass such other order or orders.

Counsel for the Petitioner: MR.SADU RAJESWARA REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR SCHOOL EDUCATION

The Court at the admission stage made the following:

ORDER:

This writ petition is filed seeking Writ of Mandamus, directing the respondents to absorb the petitioner from an unaided post of aided post of lecturer in Commerce Department in the 4th respondent college, which is going to fall vacant due to retirement of one B. Mukundarao on attaining the age of superannuation of 58 years on 31.03.2005.

Head the learned Counsel for the petitioner and the learned Government Pleader for School Education.

No right of the petitioner so far infringed. The 4th respondent has to send proposals to respondents 1 to 3, considering the seniority and other circumstances, and thereafter, respondents 1 to 4 have to take appropriate decision. The person, in whose post the petitioner is seeking relief, has not been so far retired. The writ petition is totally misconceived.

Therefore, the Writ Petition is dismissed. No order as to costs.

Dated: 21.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Principal Secretary,

Higher Education Department,

Government of Andhra Pradesh,

Secretariat Buildings, Hyderabad

2. The Commissioner/Director of

Collegiate Education,

Government of Andhra Pradesh,

Hyderabad

3. The Regional Joint Director of

Higher Education, Guntur, Guntur District

4. The Secretary & Correspondent,

Hindu College Committee, Guntur,

Guntur District

5. Two CCs to the Government Pleader for

School Education, High Court Buildings,

Hyderabad (OUT)

6. Two CD copies